GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services- Fisheries Department - Allegations against Sri K.Phani Prakash, the then Joint Director of Fisheries, Eluru, West Godavari District (now retired) has failed to discharge his legitimate duties to get the bank statements and reconcile the amounts and also failed to maintain cash books – Disciplinary proceedings instituted under Rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 – Orders - Issued.

ANIMAL HUSBANDRY, DAIRY DEV. & FISHERIES (DY. & VIG.) DEPARTMENT

G.O.Rt.No.104 **Dated:12.04.2024.**
Read:

G.O Ms. No.21, AHDD&F (Dy.&Vig.)Department, Dt.12.04.2024.

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ORDER:-

In pursuance of the sanction accorded by the Government under sub-clause (i) of clause (b) of sub rule (2) of Rule 9 of the AP Revised Pension Rules, 1980 for instituting Departmental proceedings against Sri K.Phani Prakash, the then Joint Director of Fisheries, Eluru, West Godavari District (now retired) has failed to discharge his legitimate duties to get the bank statements and reconcile the amounts and also failed to maintain cash books vide reference read above, it is proposed to hold an enquiry against Sri K.Phani Prakash , the then Joint Director of Fisheries, Eluru West Godavari District (now retired) in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The statement of articles of charges and statement of imputations of misconduct and mis-behaviour in respect of which the inquiry is proposed to be held is set out in the enclosed Annexures I&II. A list of documents by which and a list of witnesses by whom, the articles of charges proposed to be sustained are also enclosed in Annexures III & IV.

3. Sri K.Phani Prakash, the then Joint Director of Fisheries, Eluru, West Godavari District (now retired) is directed to submit his written statement of defence within 15 days from the date of receipt of this order.

4. Sri K.Phani Prakash, the then Joint Director of Fisheries, Eluru, West Godavari District (now retired) is informed that an inquiry will be held only in respect of those Articles of Charges which are not admitted. He should, therefore, specifically admit or deny each Article of charge.

5. Sri K.Phani Prakash, the then Joint Director of Fisheries, Eluru, West Godavari District (now retired) is further informed that if he does not submit his written statement of defence on or before the date specified in para 3 above, further action will be processed based on the material available.

6. Attention of Sri K.Phani Prakash, the then Joint Director of Fisheries, Eluru, West Godavari District (now retired) is invited to Rule-24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that above said Sri K.Phani Prakash, the then Joint Director of Fisheries, Eluru West Godavari District (now retired) is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

(P.T.O)

7. The receipt of the G.O shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

To
Sri K.Phani Prakash, the then Joint Director of Fisheries, Eluru West Godavari District (now retired)- **through the**Commissioner of Fisheries, AP., Vijayawada
Copy to:
The Commissioner of Fisheries, AP., Vijayawada (with a request to serve the order & obtain the dated acknowledgement and furnish the same).
Sc/Sfs.

//FORWARDED:: BY ORDER//

SECTION OFFICER

(Annexure to G.O Rt No.104, AHDD&F(Dy.&Vig.)Dept., Dt.12.04.2024.)

ANEXURE-I

STATEMENT OF ARTICLE OF CHARGE FRAMED AGAINST SRI K.PHANIPRAKASH, THE THEN JOINT DIRECTOR OF FISHERIES, ELURU, WEST GODAVARI DISTRICT (NOW RETIRED)

Article of Charge: Sri K.Phani Prakash, the then Joint Director of Fisheries, Eluru, West Godavari District (now retire has failed to discharge his legitimate duties to get the bank statements and reconcile the amounts. He has also failed to maintain cash books. Had he properly checked the bank transactions, cash book etc., the misappropriation of Government funds would not have happened.

Thus, Sri K.Phani Prakash, Joint Director of Fisheries (now retired) by his above mentioned acts, exhibited lack of integrity, devotion to duty, conduct unbecoming of Government Servant in violation to the provisions under rule 3 (1) and (2) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

GOPAL KRISHNA DWIVEDI
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

ANNEXURE-II

STATEMENT OF IMPUTATIONS IN SUPPORT OF ARTICLE OF CHARGES FRAMED AGAINST SRI K.PHANI PRAKASH , THE THEN JOINT DIRECTOR OF FISHERIES, ELURU, WEST GODAVARI DISTRICT (NOW RETIRED)

Vide letter No. 794/A2/2021 dt:02.07. 2021 the Joint Director of Fisheries, Eluru has submitted that upon verifying each and every bank's statement, it is found that an amount of Rs.4,12,87,500/- has been misappropriated in the O/o Joint Director of Fisheries, Eluru and furnished the details.

Keeping in view of the track record of Late Sri S.Padmanabha Murthy, it is suspected that the signatures of the joint Director of Fisheries worked at different period were forged and misused the office funds including the fixed deposits.

In the report dt:01.07.2021 of the Accounts Officer O/o Commissioner of Fisheries, AP, Vijayawada stated that the records verified from 01.07.2019 to 30.06.2021 of the O/o the Joint Director of Fisheries, Eluru and stated that the JDF, Eluru has failed to obtain the monthly bank statements and reconcile the amounts. He failed to maintain cash books properly.

As per the information furnished by the Joint Director of Fisheries, Eluru vide his letter Rc.No.794/A4/2021 dt:08.09.2022, Sri K.Phani Prakash, worked as Joint Director of Fisheries, Eluru from 27.09.2019 to 11.01.2020 (except the period from 3.10.2019 to 14.10.2019 as he was on Earned Leave).

In view of the report of the JDF, Eluru and Accounts Officers O/o CoF, AP, Vijayawada during the tenure of Sri K.Phani Prakash worked as Joint Director of Fisheries, Eluru, the following amounts were misappropriated.

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Sl. No.	Particulars	Cheque No.	Date	Amount (Rs.)
1	Vamsi Agro	RTGS transfer without cheques	08.08.2019	17,28,000.00
2	Raghu Teja Nurseries		14.10.2019	9,00,000.00
3	Vijaya Bio		14.10.2019	8,26,000.00
4	Raghu Teja Nurseries		07.01.2020	9,00,000.00
5	Vaishnavi Enterprises, Amalapuram	000554	06.11.2019	17,28,000.00
6	Sri Kasi Annapurnamma FCS Ltd., Pentapadu	000644	07.01.2020	13,71,000.00

In the Inspection report dt:23.07.2021 of Asst. Director (Admin.) O/o Commissioner of Fisheries, AP, Vijayawada has stated that no details in the O/o the JDF, Eluru regarding cheque No.589 of amount of Rs.39,50,000/- which was transferred to SRR Aqua Suppliers on 17.10.2019 from the Andhra Bank, Ramachandraraopet, Eluru were found.

Vide letter Rc.No.794/A4/2021 dt:08.09.2022, the JDF, Eluru has stated that the file bearing No. 1270/A3/2015 relates to supply of Aerators on subsidy was found missing in the O/o JDF, Eluru in the light of misappropriation of funds in the bank accounts.

As per Fisheries Departmental Manual, the District Fisheries Officer is the Drawing and Disbursing Officer. It is the primary duty of the Drawing and Disbursing Officer to check and sign every day on the cash book.

Being a Drawing and Disbursing Officer, he failed to make proper checks in accounts matters i.e., to verify the cash books, cheque books, FDS and to reconcile with the bank statements every month. Had he properly checked the bank transactions, cash book etc., the misappropriation of Government funds would not have happened. Due to slackness and shirking from responsibilities the incident was occurred.

Thus, Sri K.Phani Prakash, Joint Director of Fisheries (now retired) by his above mentioned acts, exhibited lack of integrity, devotion to duty, conduct unbecoming of Government Servant in violation to the provisions under rule 3 (1) and (2) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Thus, the charge.

GOPAL KRISHNA DWIVEDI
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

ANNEXURE - III

LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGES FRAMED AGAINST SRI K.PHANI PRAKASH , THE THEN JOINT DIRECTOR OF FISHERIES, ELURU, WEST GODAVARI DISTRICT (NOW RETIRED) ARE PROPOSED TO BE SUSTAINED.

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1. JDF, Eluru letter No. 794/A2/2021 dt:02.07.2021.
2. Accounts Officer O/o the CoF,AP, Vijayawada report dt:01.07.2021.
3. Inspection report dt:23.07.2021 of Asst. Director (Admin.) O/o the Commissioner of Fisheries, AP, Vijayawada.
4. JDF, Eluru letter Rc.No.794/A4/2021 dt:08.09.2022.

GOPAL KRISHNA DWIVEDI
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

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ANNEXURE-IV

LIST OF WITNESSES BY WHOM THE ARTICLE OF CHARGE FRAMED AGAINST SRI K.PHANI PRAKASH , THE THEN JOINT DIRECTOR OF FISHERIES, ELURU, WEST GODAVARI DISTRICT (NOW RETIRED) ARE PROPOSED TO BE SUSTAINED

-NIL-

GOPAL KRISHNA DWIVEDI
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

SECTION OFFICER
A.H.D.D ...partment
A.P. Secr... ...agapudi,
AMARAV... - 522 238.